IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3345 OF 2005

Ravindra Gunaji Nandgaonkar ..Petitioner.

Versus

Mohid Construction Co. & Ors. ..Respondents.

Ms. B. D'Souza i/by M.P.Vashi & Associates for the Petitioner.
Mr. Ramesh Dube -Patil i/by Ajay Misar & Co. for the Respondents Nos. 1 and 2.
Mr. G.D.Utangale for Respondent No.3.

CORAM : S. A. BOBDE, J.
DATED : 06TH OCTOBER, 2005.

P.C.:

1. Rule returnable forthwith. Mr. Dube- Patil, Advocate for the Respondents 1 and 2 and Mr. Utangale for the Respondent No.3 appear and waives service of rule. Heard by consent.

2. The only contention raised on behalf of the petitioner is that he was not heard before passing the impugned order dated 1st February, 2005 by the Secretary of Slum Rehabilitation Authority. The petitioner alongwith his affidavit in reply filed submitted a document at Exh.'D', which appears to be the intimation to the petitioner regarding next date of hearing. However, the learned counsel for the petitioner on instructions from the petitioner, who is

present in the court denies that the said signature is made by the petitioner.

3. In order to remove all doubts, I, in the interest of justice, consider to set aside the impugned order on this count only without touching upon merits of the matter.

4. The impugned order is, therefore, set aside. The matter is remanded back to the S.R.A. for fresh hearing.

5. The petitioner who is present in the court, states that he will remain present before the S.R.A, 5th floor, Griha Nirman Bhavan, Bandra (E), Mumbai -51 on 14th October, 2005 and upon which date the S.R.A., shall hear him and proceed to decide the matter afresh in accordance with law.

6. The S.R.A. shall decide the matter as expeditiously as possible and in any case not later than 15 days from 14th October, 2005.

7. Rule is disposed of in the above terms.

DT.06.10.05 (S.A.BOBDE,J)

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